

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

UNITED STATES OF AMERICA, §
§
Plaintiff, §
§
v. § **Criminal Action No. 4:21-CR-00268-O**
§
MARK A. FORKNER (01) §
§
Defendant. §

ORDER

Before the Court are Defendant's Third Motion to Continue Trial Date (ECF No. 77), filed December 22, 2021; the Government's Response (ECF No. 88), filed December 28; and Defendant's Reply (ECF No. 89).

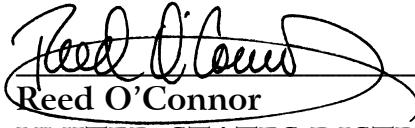
Defendant was indicted on October 14, 2021. The Court initially scheduled trial for November 15, 2021. *See* Scheduling Order, ECF No. 12. The Court then granted Defendant's First Motion to Continue Trial (ECF No. 17), and rescheduled trial for December 15, 2021. *See* Order, ECF No. 23. The following week, Defendant filed a Second Motion to Continue Trial (ECF No. 24). The Court again granted the continuance—over the Government's opposition—and rescheduled trial for February 7, 2022. *See* Order, ECF No. 42. Defendant now requests that the Court continue trial a third time.

Defendant primarily cites voluminous and complex discovery as the reason for the continuance. According to Defendant—and the declarations of twenty-two lawyers—a February 7 trial date will result in deficient representation. *See* Def.'s Reply, Ex. 1, ECF No. 89-1. The Government responds that many of Defendant's purported leads are not relevant to the indictment. *See* Gov't Resp. 2–4, ECF No. 88. The Government also points out that Defendant's counsel,

which consists of at least five law firms and thirteen lawyers specializing in white-collar criminal defense, has demonstrated sophistication and competence in managing discovery so far. *Id.* at 4.

Given the foregoing, it appears Defendant has had sufficient time to effectively use his resources to be prepared for trial. Out of an abundance of caution however, the Court will grant Defendant's Third Motion to Continue Trial to permit Defendant additional time to prepare. Accordingly, the Court **GRANTS** the motion and trial will now begin at **9:00 AM on March 7, 2022**. Jury selection will begin at **2:00 PM on March 4**.

SO ORDERED this 4th day of **January, 2022**.



Reed O'Connor
UNITED STATES DISTRICT JUDGE